IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1589 OF 2005

Ashok Kumar K. Jogani .. Applicant.

V/s.

The State of Maharashtra ..Respondent.

Shri N.K.Thakore i/by Prakash Naik for the Applicant.
Shri K.V.Saste, APP for the Respondent-State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 21, 2005

PC :-

. Although the applicant has already filed petition for quashing of the criminal action registered against him before this court, however, the counsel for the applicant on instructions states that the said petition will be withdrawn tomorrow. He submits that in so far as the present application for anticipatory bail is concerned, as two separate cases are registered for the same offence, the applicant be granted limited protection of 72 hours advance notice. He further states that the applicant had already approached the Sessions Court on the earlier occasion, but as the quashing petition was pending before this court, the Sessions Court declined to entertain the

anticipatory bail application and gave liberty to the applicant to approach this court.

. In the peculiar facts and circumstances of the present case, as is agreed by the learned APP, on instructions of the investigating officer, who is personally present in the court, this application is disposed of by requiring the investigating officer to give 72 hours advance notice to the applicant in case he decides to arrest the applicant in connection with the alleged offence registered at Malbar Hill Police Station as MECR No. 1/2005. Till then, the applicant shall co-operate for the purpose of investigation as and when called upon by the investigating officer.

. The applicant shall give advance notice to investigating officer before moving the appropriate court for relief of anticipatory bail.

. Ordered accordingly.

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